

House File 421 - Introduced

HOUSE FILE 421
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO HSB 73)

A BILL FOR

1 An Act relating to facilities providing care for persons
2 with mental illness including providing for the transfer
3 of dangerous persons with mental illness from a hospital
4 for persons with mental illness to the Iowa medical and
5 classification center.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 218.1, Code 2019, is amended to read as
2 follows:

3 **218.1 Institutions controlled.**

4 The director of human services shall have the general and
5 full authority given under statute to control, manage, direct,
6 and operate the following institutions under the director's
7 jurisdiction, and may at the director's discretion assign
8 the powers and authorities given the director by statute to
9 any one of the deputy directors, division administrators, or
10 officers or employees of the divisions of the department of
11 human services:

- 12 1. Glenwood state resource center.
- 13 2. Woodward state resource center.
- 14 3. Mental health institute, Cherokee, Iowa.
- 15 ~~4. Mental health institute, Clarinda, Iowa.~~
- 16 ~~5.~~ 4. Mental health institute, Independence, Iowa.
- 17 ~~6. Mental health institute, Mount Pleasant, Iowa.~~
- 18 ~~7.~~ 5. State training school.
- 19 ~~8.~~ 6. Iowa juvenile home.
- 20 ~~9.~~ 7. Other facilities not attached to the campus of the
21 main institution as program developments require.

22 Sec. 2. Section 226.1, subsection 1, Code 2019, is amended
23 to read as follows:

24 1. The state hospitals for persons with mental illness shall
25 be designated as follows:

- 26 ~~a. Mental Health Institute, Mount Pleasant, Iowa.~~
- 27 ~~b.~~ a. Mental Health Institute, Independence, Iowa.
- 28 ~~c. Mental Health Institute, Clarinda, Iowa.~~
- 29 ~~d.~~ b. Mental Health Institute, Cherokee, Iowa.

30 Sec. 3. Section 226.30, Code 2019, is amended to read as
31 follows:

32 **226.30 Transfer of dangerous patients.**

33 When a patient of any hospital for persons with mental
34 illness becomes incorrigible, and unmanageable to such an
35 extent that the patient is dangerous to the safety of others

1 in the hospital, the administrator, with the consent of the
2 director of the Iowa department of corrections, may apply in
3 writing to the district court or to any judge thereof, of the
4 county in which the hospital is situated, for an order to
5 transfer the patient to the Iowa medical and classification
6 center and if the order is granted the patient shall be so
7 transferred. The county attorney of the county shall appear in
8 support of the application on behalf of the administrator.

9

EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 Under current law, when a patient of a state mental health
13 institute in Iowa becomes incorrigible and unmanageable to such
14 an extent that the patient is dangerous to the safety of others
15 in the hospital, the administrator may apply to the court
16 in writing for an order to transfer the patient to the Iowa
17 medical and classification center. "Administrator" is defined
18 as the person assigned by the director of human services to
19 control the state mental health institutes.

20 This bill amends current law to require the administrator
21 to obtain the consent of the director of the Iowa department
22 of corrections prior to applying for an order to transfer a
23 patient to the Iowa medical and classification center.

24 The bill strikes Code references to the state mental health
25 institutes previously located in Clarinda and Mount Pleasant
26 due to the closure of both facilities on June 30, 2015.